

AMENDED IN ASSEMBLY AUGUST 1, 2016

AMENDED IN ASSEMBLY JUNE 15, 2016

AMENDED IN SENATE MAY 27, 2016

AMENDED IN SENATE APRIL 11, 2016

**SENATE BILL**

**No. 1049**

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**Introduced by Senator Hill**

February 12, 2016

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An act to add Section 326 to the Public Utilities Code, relating to the Public Utilities Commission.

LEGISLATIVE COUNSEL'S DIGEST

SB 1049, as amended, Hill. Public Utilities Commission: *electrical and gas corporations*: close call reporting program.

Under existing law, the Public Utilities Commission has regulatory authority over public ~~utilities~~. *utilities, including electrical and gas corporations*. The California Constitution authorizes the commission to establish rules for ~~all public utilities~~, *electrical and gas corporations*, subject to control by the Legislature.

This bill would require the commission to establish procedures and processes to implement a confidential, nonpunitive, and independent close call reporting program for purposes of facilitating the identification of accident precursors by persons familiar with ~~public utility~~ *the operations of electrical or gas corporations* and of collecting, analyzing, and disseminating unbiased safety information. The bill would authorize any person to voluntarily submit through the program a confidential close call report that both involves ~~a public utility~~ *an electrical or gas corporation* and relates to public, employee, or contractor safety.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 326 is added to the Public Utilities Code,  
2     to read:  
3     326. (a) The commission shall establish procedures and  
4     processes to implement a confidential, nonpunitive, and  
5     independent close call reporting program for purposes of  
6     facilitating the identification of accident precursors by persons  
7     familiar with ~~public utility operations~~; *the operations of electrical*  
8     *or gas corporations*, including, but not limited to, ~~public utility~~  
9     employees and ~~contractors~~; *contractors of electrical or gas*  
10    *corporations*, and of collecting, analyzing, and disseminating  
11    unbiased safety information. Through the program, any person,  
12    including, but not limited to, ~~a public utility~~ *an employee or*  
13    *contractor of an electrical or gas corporation* or a member of the  
14    public, may voluntarily submit a confidential close call report that  
15    both involves ~~a public utility~~ *an electrical or gas corporation* and  
16    relates to public, employee, or contractor safety.  
17    (b) The commission shall not use a report *submitted* pursuant  
18    to subdivision (a) or information derived therefrom, except for  
19    information concerning an accident or criminal offense, in an  
20    enforcement action. ~~The commission may establish additional~~  
21    ~~exceptions to this subdivision.~~  
22    (c) The commission may contract with a third party to administer  
23    the program.  
24    (d) ~~A public utility~~ *An employee of*, or the employee of a  
25    contractor performing work ~~for a public utility~~ *for, an electrical*  
26    *or gas corporation* shall not be subject to demotion, discharge, or  
27    any other form of retaliation or discrimination for participating in  
28    the close call reporting program established pursuant to this section.

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